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June 17, 2024

REF: 844300.0003

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VIA ECF

Hon. James R. Cho
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Karnes et al v. City of New York et al.*, 21-CV-4903 (WFK) (JRC)
Extension Request

Your Honor:

The parties jointly move the court for an additional 90 days to update Your Honor on settlement and discovery. The two remaining plaintiffs, Ms. Petree and Ms. Washam, in the above matter have sought additional experts, and supplements to their injury profile. Ms. Petree provided a supplemental orthopedist report, and has been examined by a psychologist, whose final report I am assured will be proved tomorrow. Ms. Washam had a lifecare planner lined up and scheduled as of the last writing to the Court, but due to issues beyond counsel's control the engagement did not result in a report. A new lifecare planner has been engaged, medical records have been sent and an examination is being scheduled.

Given the delay in this litigation and the gap between the parties' settlement positions, the parties believe it is prudent to have the plaintiffs' depositions taken while we continue our discussions. Dates for these depositions have been proposed and we are waiting on confirmation from Ms. Washam and Petree. Due to Mr. Francolla's trial schedule, these depositions will take place the last weeks of July.

We believe requesting 90 days is prudent as it allows these depositions to take place, the reports to be fully exchanged, and puts us beyond the end of August, when the undersigned will be away from New York. It will also allow Mr. Francolla to conduct the trials of Antonio Williams v. City of New York, et al., 16 CV 4615 (ENV) (VMS), before the Honorable Eric N. Vitaliano scheduled to begin on June 24, 2024 and Larry Thompson v. City of New York, et al., 14 CV 7349 (HG) (RML), before the Honorable Hector Gonzalez scheduled to begin on August 5, 2024.

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Should this request be granted, the parties will update the court on our progress on September 16, 2024.

The parties thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'David B. Rankin', with a stylized, sweeping flourish extending to the right.

David B. Rankin